UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

THE NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS PENSION FUND, NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS WELFARE FUND, NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS VACATION FUND, NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS ANNUITY FUND, NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS APPRENTICESHIP, JOURNEYMAN RETRAINING, EDUCATIONAL AND INDUSTRY FUND, NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS CHARITY FUND, and THE NEW YORK CITY AND VICINITY CARPENTERS LABOR MANAGEMENT COOPERATION FUND, by MICHAEL J. FORDE, and PAUL O'BRIEN.

07 CV 7324 (GEL) ECF CASE

<u>CLERKS</u> <u>CERTIFICATE</u>

Plaintiffs,

-against-

as TRUSTEES,

GAZETTEN CONTRACTING, INC.,
Defendant.
X

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on August 16, 2007 by filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the defendant, Gazetten Contracting, Inc. on August 24, 2007, by delivering two (2) true copies thereof to Amy Lesch, an authorized clerk in the Office of the Secretary of State of the State of New York, and proof of service being filed on September 6, 2007.

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to complaint herein. The default of the defendant is hereby noted.

Dated: OCT 3, 2007
New York, New York

J. MICHAEL MCMAHON

Clerk of the Court

Deputy Clerk